



COMMISSION OF THE EUROPEAN COMMUNITIES

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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

Commission Legislative and Work Programme 2009

Acting now for a better Europe

VOLUME 1

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1. TESTING TIMES FOR EUROPE

At times of crisis, the need for active solidarity across Member States and between Institutions is greatest. These are the times when the EU can show real added value to Europe's citizens. The current financial crisis and economic slowdown presents Europe with one of the most taxing challenges it has faced. It has already required the Union to show speed, decisiveness and solidarity. In the first place, the Union has proved adept and imaginative in facing up to the sudden crisis in confidence in the financial markets. Now it has to bring the same qualities to reforming the financial sector and cushioning the impact of the slowdown on the real economy and on citizens.

Economic turmoil has come on top of a series of other challenges for the EU in 2008. Rises in food and energy prices over the past year have put a double pressure on European households. The process of ratifying the Lisbon Treaty was confronted with the "no" vote in the Irish referendum. The conflict in Georgia saw Europe called upon to play a central role in bringing a solution and offering aid. The EU has shown its resilience in the face of these challenges. It has proved it can adapt to changing circumstances and act with resolution and focus.

Since the start of its mandate, this Commission has sought to use the tools at its disposal to best effect. The Commission has a variety of roles in the European system: giving policy direction and coherence, initiating proposals for EU law, managing key policies and programmes, acting as the guarantor of EU law and of a level playing field in Europe. It has made particular efforts to work in partnership with the other key players who shape and realise the EU's work: the European Parliament, the Council, Member States, civil society and citizens at all levels. The dialogue with the European Parliament and the Council on the Annual Policy Strategy – which has informed and enriched the preparations for this Work Programme alongside contributions from the national parliaments – is an important example of this.

2008 has shown the readiness and the ability of the EU institutions to adjust to new circumstances and changing timetables. This flexibility will inevitably be an important facet of the Commission's work in 2009. At the same time, the past years have seen the Commission embarking on a series of major long-term policy initiatives in areas like energy, climate change, migration, and social policy. In the final year of its mandate, the Commission will concentrate on completing the work it has started, working closely with Council and Parliament. This Commission has given priority to bringing direct benefits to citizens. So it is keen to ensure that its key initiatives pass into law and are implemented in practice, and is determined to work closely with the other EU institutions to that effect.

During its term in office, the Commission has sought to equip the European Union to respond effectively to globalisation. Europe benefits from open societies and open markets but both need rules. The EU has a proud tradition of economic, social and environmental regulation which has delivered great benefits for its citizens. The Commission has been working to distil the lessons of this experience and to use it to help shape globalisation, making the most of the

opportunities it brings. The financial crisis has shown how globalisation has sharpened the need for global co-ordination and regulation. The Commission believes that its initiatives to realise the Lisbon strategy for growth and jobs, to put in place a renewed social agenda for today's Europe, to combat climate change and promote energy security, and to address continental-wide issues like migration and an ageing society will stand the Union in good stead. They add up to a practical programme for the coming decades.

When it took office, this Commission set an ambitious agenda for prosperity, security and social justice in Europe. Despite a series of testing challenges, much has been achieved in the past four years. The Commission has been active in upholding the best of what the Union has built in the last fifty years, and in proposing new initiatives which take this ambitious agenda forward. In the spring of 2009 the Commission will publish a statement of what it has achieved, working hand in hand with the European Parliament and the Council, to build the European Union of the 21st century. But 2009 is first and foremost a European election year and the June 2009 elections for the European Parliament will give voters across the EU their voice on the future direction of the Union. The Commission's work programme for 2009 must ensure that we deliver a response to testing times and shape the EU's future agenda.

The budget review it will propose next year will provide an opportunity for the Commission to look forward and to set out how the European Union can use the tools of the budget to pursue modern policies to best effect.

2009 will be a year of important anniversaries – five years since the enlargement of 2004, and twenty years since the fall of the Berlin Wall. It will be a time to celebrate the successes of enlargement, a time when the European Union can demonstrate again its central place in the work of building a Europe of peace, prosperity and solidarity.

2. THE PRIORITIES FOR 2009

2.1. Growth and Jobs

The financial crisis and the economic downturn have again thrown into sharp relief the central place of the EU in securing the economic and social well-being of Europeans. If the origins of financial crisis lay primarily outside the EU, the realities of the single market have put the focus on the inter-dependence of European economies and the essential need for a common approach and for coordinated action. The euro and the European Central Bank have served as important poles of stability in testing times, buttressed by the disciplines of the Stability and Growth Pact.

As concern has turned to the impact of shrinking growth on jobs and businesses, the EU has again become a focus of attention. The European dimension is recognised as central to efforts to limit the scale of the downturn, to reduce the impact on Europeans, and to help the European economy to return to the path of sustainable growth.

The Commission plays a variety of roles in the economic life of the European Union. Its role in the day-to-day work of ensuring a competitive level playing field in the single market and maintaining the EU as a customs union provides assurance to market players and Member States that they can compete fairly, and that the same rules apply to big and small Member States alike. Beyond its responsibility as initiator of legislation, it also plays a more general role as coordinator and honest broker in helping the EU to work together. This role was key when immediate action was needed to tackle the financial crisis, providing a European framework to guide Member States in devising stabilisation plans that could be deemed compatible with the single market and the State aids rules, and taking the interests of all into account. The Commission will remain active and vigilant as the work continues to rebuild

confidence in financial markets. It will play a particular role in developing and promoting a common European approach to pursuing the international response to the economic turmoil.

The next phase of work is practical measures to reshape the regulatory framework for the EU financial system. The Commission is also tasked with proposing the right regulatory regime for the single market, including in the area of financial services. In the autumn of 2008, the Commission accelerated work and has brought forward a series of detailed proposals on capital requirements, deposit guarantees and credit rating agencies, as well as new rules on accounting. One of the major objectives for 2009 should be to keep up the pace of reform and to help the European Parliament and the Council achieve swift adoption of these measures, essential to rebuild confidence amongst citizens, investors and businesses.

A second phase of this work is now under preparation and will come forward in 2009. This package of financial measures will flow from a wide ranging review already under way looking at the adequacy of regulation, oversight, and transparency of all financial actors and all significant capital market investors – including hedge funds and private equity – leading to measures to plug any gaps identified. It will also cover executive remuneration, and derivative markets. It will also draw the necessary conclusions from the High Level Expert Group on EU financial supervision set up by the Commission. The first results of the Group will be ready for the Commission to set out to the European Parliament and the Council ahead of the Spring European Council.

As the impact of the credit crisis is felt by the real economy, the Commission is developing a strategy to help limit the effect on growth, to support those losing their jobs, and to put the EU economy in the best shape to respond as the cycle turns. That means pressing ahead with many of the key objectives of the Lisbon strategy for growth and jobs: freeing up SMEs to concentrate on building their businesses, training and re-training to promote the right skills for tomorrow's economy, investing in R&D. It means ensuring that support to industry is smart support, helping businesses to address long-term needs like energy efficiency and innovative clean technology. It means working with the Member States to accelerate the roll-out of the 2007-2013 cohesion policy programmes to support public investment. The basic foundations of sound public finances and open markets remain central to Europe's long-term prospects for growth.

In other areas, the Commission is putting in place the measures flowing from its review of the single market. A wide range of initiatives will be taken forward aimed at empowering consumers, improving redress and facilitating business in the single market through improved approaches to taxation, and modernising the framework for business. Dedicated market monitoring exercises will look at retail markets, electrical goods, and pharmaceuticals, with a view to identifying any problems in the functioning of those sectors and ensuring that the benefits of the single market reach citizens. The lack of a cost-effective, single patent remains an obvious shortcoming of the single market.

At a time of economic distress and social pressure, it is more than ever important to advance the Social Agenda for Opportunities, Access and Solidarity. The Commission will be renewing its youth strategy to better respond to the problems faced by youth – such as disproportionately high unemployment, and early school leaving. An important part of this effort to provide opportunities is the New Skills for New Jobs initiative to promote the integration of young people in the labour market. The Commission will also make particular efforts to help the European Parliament and the Council move forward on its proposals on anti-discrimination, works councils and reconciliation of work and family life.

The European Year of Creativity and Innovation will put the spotlight on the importance of developing skills and promoting innovation in the EU's growth and jobs strategy; an initiative

to improve contacts between universities and business will strengthen another important link in the chain. With the European Institute for Technology now up and running, the first Knowledge and Innovation Community will be put in place.

The Lisbon strategy for growth and jobs has built a consensus around equipping Europe to meet the competitive and social challenges of the future and to ground the European economy in core European values of social justice and sustainability. The economic downturn must be taken into account but should not deflect the EU from its long term task of building a competitive, knowledge-based sustainable Europe for the future. The entry of Slovakia into the euro area will be an important symbol of the progress of the euro into a major force for stability in the global economy, and will coincide with an analysis of five years of the contribution of enlargement to the EU economy.

During 2009, the Commission will be working on how the Lisbon strategy might be adapted for the period post-2010 and striking the right balance between the short and longer term priorities will be a crucial challenge. A clear commitment to implement structural reforms is needed to boost consumer and investor confidence in the short term and improve the resilience and dynamism of our economies in the longer term.

2.2. Climate Change and Sustainable Europe

2009 will be a critical year for efforts to combat climate change. The UN Climate Change Convention in Copenhagen will be of central importance in testing the global resolve to deliver historic change: the culmination of efforts to agree a quantum leap in efforts to reduce greenhouse gas emissions from 2012.

The Commission is committed to putting the EU at the forefront of efforts to maintain a high level of ambition. The EU has led the debate by agreeing three core targets to be met by 2020: a 20% reduction in greenhouse gas emissions, a 20% share for renewable energy, and a 20% improvement in energy efficiency. The package of measures designed to deliver on these targets remains of the highest priority to Europe's credibility as the leading driver in global efforts to tackle climate change. The current economic turmoil has done nothing to reduce the long-term imperative of driving ahead with policies to put Europe in the vanguard of realising a low-carbon future: measures to stimulate demand can best be directed towards green technology and energy efficiency. Ensuring the full adoption of these measures before the European Parliament elections is of the utmost importance.

These measures will position the EU for leadership in the UN negotiations - which will still require determination, perseverance and imagination. Early in 2009, the Commission will come forward with proposals for the EU's approach to securing an ambitious and comprehensive global agreement.

The other key target of the package is to make European energy secure, sustainable and competitive. The hike in energy prices seen in 2008 has again underlined the vulnerability of Europe in terms of energy, and the pressing need to promote energy security. The Commission's Strategic Energy Review will set out an overall strategy for improving energy security, which should be a major focus for 2009. This will include driving ahead with concrete steps on energy efficiency; realising a common objective of interconnection and effective stock management, particularly so that the newer Member States are linked up to the European grid; and a coordinated approach on improving and diversifying supply from outside the Union. It also underlines the importance of securing adoption of proposals on the internal market for gas and electricity, with new arrangements in place to ensure increased competitiveness and appropriate prices, and that national regulators can work together.

Sustainability lies at the heart of EU policy. 2009 will see a specific reflection on the future of the Sustainable Development Strategy and how its goals can be most effectively delivered. In terms of specific initiatives, an EU strategy for the Baltic Sea region will promote an environmentally sustainable, prosperous, accessible and secure region. The greening of EU transport policy will continue and the Commission will issue a Communication on future transport scenarios with a 20 to 40 year horizon and a Green Paper on trans-European transport networks. Environmental, agricultural and fisheries policies all seek to marry day-to-day systems of management and control with a long-term vision for the sustainable use of Europe's natural resources. Also in 2009 the Commission will launch a major consultation on the reform of the Common Fisheries Policy in the context of the EU Integrated Maritime Policy, and biodiversity will be an important theme. 2009 should also see the implementation of the "health check" of the CAP, including the shift of funds from direct payments to rural development in order to meet new challenges such as climate change, renewable energy, water management and biodiversity..

2.3. A Europe close to citizens

This Commission has put the European citizen at the heart of the European project, through policies in areas close to citizens such as fundamental rights and citizenship, migration, justice, security and safety, consumer protection, and health.

Responding to strong expectations from EU citizens, the Commission will take forward initiatives in a variety of areas of direct significance for the citizen. Concrete measures will be taken to strengthen the effective enforcement of consumer protection rules for consumers across Europe. Food safety, animal health and animal welfare will be continuously monitored, whilst the Commission will continue the work of the EU Health Strategy to help Member States promote public health to best effect. The Commission will examine in particular what role the EU can play in helping to reduce health inequalities across Europe.

To prepare the future, work on demographic issues will continue in 2009, in close cooperation with the Czech and Swedish Presidencies: an assessment of the EU's preparedness for demographic change will be presented to the Spring European Council.

In 2009, the Commission will set out its proposals for the further development of the EU as an area of Freedom, Security and Justice. These will form the basis for discussion with Member States, in view of adopting a follow-up to the current Hague Programme.

Pursuing the establishment of a common immigration policy will continue to be a priority. In its recent Communication 'A Common Immigration Policy for Europe: Principles, Actions and Tools'¹, the Commission has committed itself to deliver on a series of objectives and principles, in partnership with the Member States and the other EU institutions. This will guide the Commission's action in 2009, where immigration must be fully integrated into the wider EU policies for economic growth, competitiveness and social inclusion. External relations policies must also play a role, through promoting reinforced partnerships with third countries in migration management, and closer links with development and trade policies.

2009 will see the European Migration Network up and running and the elements in place to secure the completion of the Common European Asylum System by 2010, including the creation of a European Asylum Support Office. The Commission puts particular weight on the adoption and implementation of recent proposals in the area of migration and asylum. Integrated border management will be pursued through greater operational cooperation and the launch of the new Schengen evaluation mechanism. Practical cooperation between

¹ COM (2008) 359 and SEC(2008) 2026.

Member States, and between Member States and FRONTEX, will also be promoted in the field of return policy.

As citizens move freely within the EU, they must have equal access to justice to protection by the rule of law. Those who break the law should be prosecuted and judged. The EU will move closer to becoming a true area of justice in 2009 through initiatives to improve mutual recognition in criminal and civil matters in a number of concrete areas (judgements, procedural rights, successions and wills). To enhance the security of EU citizens, the Commission will also present a series of proposals to deal with specific and new forms of criminality: greater prevention of child abuse and trafficking; reinforced international cooperation to fight and prevent cyber attacks; and combat the risk of terrorist attacks in areas such as chemical, biological, nuclear and radiological threats.

2.4. Europe as a World Partner

In a globalized world, the objectives and challenges mentioned above can not be dealt with in a European vacuum. They need to be addressed and projected through the EU's external policy, which will always combine a long-term strategic approach with reaction to the immediate demands of foreign policy.

In 2009, the Commission will continue to build its long term relationship with key partners. The past year has shown the importance of a common vision with the US in times of intense pressure. It has also shown the mutual importance of good relations with Russia and the development of effective policies in areas like energy, migration, trade and investment. The financial crisis has again underlined the need to deepen Europe's relationship with key partners in Asia like China, India and Japan, as well as with other emerging economies such as Brazil.

The Georgia crisis in the summer of 2008 showed two facets of the EU's external action. First, it showed that the European Union is seen as a positive force for conflict prevention and resolution, able to act as a mediating force in the most tense of situations. Second, it again required the EU to act swiftly and decisively, not only through diplomatic channels but by bringing tangible humanitarian aid to those in need.

Two months later, the financial crisis again put the spotlight on how the EU has grown to be a pivotal player at times when a truly global approach is needed. The Commission will continue to play a central role as the series of international summits develops, targeting both the restoration of confidence in the international financial system and a longer-term reflection on reforming global economic governance.

The Commission will devote particular attention to:

- Pursuing the enlargement process, with negotiations with Croatia in particular entering a decisive phase. The European perspective for the other countries of the Western Balkans will be developed, and accession negotiations with Turkey will continue in tune with the pace of its internal reforms. The Commission will also continue to pay particular attention to the economic and political development of Kosovo.
- The work to develop the Barcelona Process: Union for the Mediterranean and the Eastern Partnership are another recognition of the importance of an effective and comprehensive relationship with the EU's neighbourhood. Challenges like energy security, migration and climate change can be better met if we build the right relationship with Europe's neighbours. Within the framework of the European Neighbourhood Policy, the Commission will develop ideas which help guide the EU towards the right balance

between an enhanced economic and political relationship with its neighbourhood as a whole, and the need to tailor-make relationships to different regions and different partners.

- Building an effective working partnership with the new US administration which will be of crucial importance in tackling key global challenges like climate change, in promoting security and stability and in developing economic and regulatory co-operation.
- The completion of the Doha Development Agenda will remain a high priority as one of the best ways to bring new market opportunities to EU's business, foster development and limit protectionism worldwide. At the same time, the EU will continue to advance and, if possible, close ongoing bilateral trade negotiations.
- Cementing a relationship with developing countries based on the delivery of the Millennium Development Goals and building alliances with them on global issues which often affect them the most severely, such as energy and food security, climate change and migration. The Commission will continue to seek to supplement the established relationships with developing countries.

3. BETTER REGULATION – DELIVERY ON PROMISES AND CHANGE OF REGULATORY CULTURE

Against the backdrop of the financial crisis and the economic situation, the need to regulate well in the interests of economic competitiveness is more important than ever. Promoting a simpler and better regulatory environment without unnecessary administrative burdens will, therefore, remain a key component of the Commission's legislative work in 2009. The emphasis will be on improving the quality of new proposals, simplifying existing legislation and reducing administrative burdens. As always, the success of these efforts will depend on the good cooperation with the other institutions and Member States. The EU will take forward discussions with key international partners on regulatory cooperation, convergence of standards and equivalence of rules.

The Third Strategic Review of Better Regulation will report on the three core components of the Better Regulation Agenda – impact assessment, simplification and reduction of administrative burden. It will look at how the Commission will strengthen its impact assessment system, including through application of the revised Guidelines and by reviewing the Common Approach to Impact Assessment of November 2005. The strategy for simplifying the regulatory environment will be reviewed and updated as will the codification programme. At the same time, implementation of the Action Programme to reduce Administrative Burdens will be reviewed and progress in meeting the 25% reduction target for 2012 will be assessed. On that basis and building on intensive internal work and input from the High Level Group of Independent Stakeholders on Administrative Burdens, the Commission will bring forward proposals designed to meet this target.

At the start of this Commission's mandate in 2004, it screened pending proposals for their relevance to policy objectives and conformity to better regulation standards and agreed a substantial list of withdrawals. The Commission intends to propose that its successor undertakes a similar exercise. The CLWP includes additional pending proposals that the Commission intends to withdraw.

Work on improving the application of Community law will continue. The pilot project launched in April 2008 between the Commission and the Member States on information provision, problem solving and correction of infringements will be evaluated.

4. COMMUNICATING EUROPE

The economic downturn and the fact that ratification of the Lisbon Treaty is not yet complete reinforce the need to focus communication on tangible results brought about by the European Union as well as on issues of specific concern to citizens' everyday life.

2009 will be the first year that inter-institutional priorities will be agreed by the Council, the European Parliament and the Commission under the joint declaration on Communicating Europe in Partnership. With 375 million voters to mobilise, the EP elections will be the main inter-institutional communication priority agreed by the three institutions. Communication activities will target in particular an audience which is less engaged with EU issues such as young people, women, and the unemployed.

Coordination with the European Parliament and with the Member States will also be crucial for communicating the progress in the energy-climate change package in view of the Copenhagen Conference of December 2009, as well as for the 20th anniversary of democratic change in Central and Eastern Europe. Under this broad title, the Commission will focus on the celebration of the 20th anniversary of the fall of the Berlin Wall/Iron Curtain as well as the 5th anniversary of the 2004 enlargement, to highlight common values and links between Europeans such as democracy, freedom and solidarity.

Finally, as the EU tackles the financial crisis and its aftermath in the wider economy, communicating on the partnership approach to sustaining growth, jobs and solidarity will be an important priority for all three institutions.

The Commission's additional communication priorities are focused on explaining the added value of the EU in areas where the citizens have increasingly shown their concern: security in general and the need of a stronger Europe in the World.

Inter-institutional communication priorities envisaged for 2009

- European Parliament elections 2009
- Energy and Climate Change
- 20th Anniversary of democratic change in Central and Eastern Europe
- Sustaining Growth, Jobs and Solidarity

Other communication priorities envisaged for 2009

- Future of a Europe for citizens
- Europe in the World

As 2009 will be the European Year of Creativity and Innovation, particular attention will be given to this theme in the context of the Sustaining Growth, Jobs and Solidarity Communication priority.

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VOLUME 2: ANNEXES

ANNEX 1 – List of strategic and priority initiatives

STRATEGIC INITIATIVES

| Title | Type of proposal or act | Description of scope and objectives |
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| Lisbon Strategy for Growth and Jobs | Non-legislative action / Commission Communication | The Communication will report of the stage of implementation of the reforms in MS and in the EU as a whole and will contain proposals for the form of the strategy post 2010. |
| A European framework for recovery | Legislative and non-legislative measures/ to be finalised | The Commission will implement measures set out in the November 2008 Lisbon Strategy package in the light of the conclusions of the Spring European Council. It will in particular focus on measures geared at addressing the impact of the crisis on the wider economy. |
| Financial markets for the future Package | Legislative measures/ to be finalised | This package of financial measures will flow from a wide ranging review already under way looking at the adequacy of regulation, oversight, and transparency of all financial actors and all significant capital market investors – including hedge funds and private equity – leading to measures to plug any gaps identified. It will also cover executive remuneration, and derivative markets. It will take into due account the European Parliament's resolutions in this area. |
| Supervision of EU financial markets | Legislative measures/ to be finalised | The Commission will respond to the recommendations of the de Larosière Group on the supervision of EU financial markets |
| Better Regulation Package: a) Communication reporting on measurement of administrative burden and setting sectoral reduction | a) Non-legislative action / Commission Communication | The Third Strategic Review of Better Regulation will report on the three core components of the Better Regulation Agenda – impact assessment, simplification and reduction of administrative burden. It will look to strengthen the impact assessment system. The strategy for simplifying the regulatory environment will be reviewed and updated as will the codification programme. At the same time, implementation of the Action Programme |

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| targets. b) 3rd Report on the Simplification Strategy | b) Non-legislative action / Commission working paper | to reduce Administrative Burdens will be reviewed and progress in meeting the 25% reduction target for 2012 will be assessed. The Commission will make further proposals designed to reduce administrative burdens. |
| Communication on the EU position in preparation for the UN Climate Change COP-15 Copenhagen Conference. | Non-legislative action / Commission Communication | This Communication will further clarify the path towards achievement of the EU objective of limiting the average increase of global temperature to 2°C above pre-industrial levels and will present EU views on the different options for engaging all countries in taking further action against climate change, including investment/financing options. It will shape a comprehensive EU position ahead of the UN Climate Change Conference in Copenhagen, in November 2009. |
| EU Strategy for the Baltic Sea Region | Non-legislative action / Commission Communication | Following the invitation of the European Council, Commission will present a comprehensive strategy for the Baltic Sea region. |
| Communication on the Stockholm Programme in the area of freedom, security and justice | Non-legislative action / Commission Communication | This initiative will present the common priorities and objectives for the future development of the EU as an area of freedom, security and justice, to determine the means and plan the initiatives to best achieve them, at EU level. It will build on key strategic documents such as the European Pact on Immigration and Asylum, the Communications of 17 June 2008 on Immigration and Asylum, the Communication on e-justice and the Action plan on drugs. |
| Enlargement Strategy and Challenges | Non-legislative action / Commission Communication | In 2009, the Commission will take actions to implement the renewed enlargement consensus, including the request made by the Council to accelerate the stabilisation and association process of the countries in the Western Balkans. |
| ENP package | Non-legislative action / Commission Communication | The package will comprise an umbrella Communication and 12 action plans. |

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| Budget review | Non-legislative action/ Commission Communication | The objective is to examine what reforms are needed to optimise Europe's contribution in addressing key challenges of the next decade, based on the principles of added value in pursuing the common interest and effectiveness of spending, and how this contribution should be financed. This analysis will be an important input to proposals to be presented by the next Commission for a new multi-annual financial framework |
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(12 initiatives)

PRIORITY INITIATIVES

| Title | Type of proposal or act | Description of scope and objectives |
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| Cutting accountancy burdens for small businesses | Legislative action / Directive Legal basis: EC Treaty, art. 95 | This proposal seeks to remove administrative burdens on small businesses in the area of accounting, including an exemption for the smallest businesses. |
| Recommendation on Partnerships in implementing the Single Market | Non-legislative action / Recommendation | The initiative is one deliverable of the Single Market Review (SMR) Communication published in November 2007. The principal aim is to identify "good practices" and formulate recommended actions to be implemented by the Member States and the Commission, in the various tasks falling within Member States' responsibilities with regard to the transposition, implementation and enforcement of single market rules. The recommended actions and "good practices" are being developed in a bottom-up process, in close cooperation with Member States. |
| Communication on Enforcement of the consumer acquis | Non-legislative action / Commission Communication | Evidence available to the Commission suggests that enforcement of consumer legislation is far from uniform. Building on cooperation with Member States under the Consumer Protection Cooperation (CPC) Regulation, the communication will address ways in which enforcement can be strengthened to improve outcomes for consumers, in particular on cross-border issues. |
| Communication on the Monitoring of the Retail Sector | Non-legislative action / Commission Communication | The Communication will set out the findings of the market monitoring announced by the Single Market Review (SMR) in retail distribution markets. The objective of the monitoring exercise is to identify possible market malfunctioning of the retail sector both from consumers' and suppliers' perspectives. This means that retail services will be analysed as key intermediary services in the modern economy, acting as the conduit between thousands of product suppliers and final consumers. The Communication will cover both the retail sector and its associated upstream and downstream markets. |

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| Revision of Directive 2000/35 of the EP and Council on combating late payment in commercial transactions | Legislative Proposal / Directive Legal basis: EC Treaty, art. 95 | The existing legislation should be reviewed to further develop a business environment conducive to timely payment of commercial debts to improve competitiveness for SMEs in particular, with a particular emphasis on cross-border commercial transactions. |
| Follow-up initiative to the White Paper on Damage Actions for breach of the EC antitrust rules | To be determined | The White Paper on antitrust damages actions was adopted in order to foster and further focus the discussions on antitrust damages actions by setting out concrete recommendations for an effective redress system for victims of antitrust infringements in Europe. The EC Treaty guarantees to these victims the right to compensation. Particularly citizens and small and medium businesses may suffer harm that is currently not compensated. The Commission considers it appropriate to suggest follow-up measures. |
| Communication on agricultural products quality policy | Non-legislative action / Commission Communication | The Communication will present options for the development of agricultural product quality policy instruments, drawn up in the light of the results of responses to the Green Paper on agricultural product quality policy. The Communication will set the groundwork for further specific proposals which may be brought forward in 2010 and might cover the following issues: requirements and standards met by farmers that go beyond hygiene and safety, EU marketing standards, EU quality schemes (especially those related to geographical indications and traditional specialities guaranteed) and food quality certification schemes. |
| Green Paper on the reform of the Common Fisheries Policy | Non-legislative action / Green Paper | The Common Fisheries Policy is subject to review at the latest in 2012. To prepare a reform, public debate will be initiated in 2009 leading to a proposal in late 2010. |

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| Communication on University-Business Dialogue | Non-legislative action / Commission Communication | Universities operate at the heart of the knowledge triangle: education, research and innovation. They play a crucial role in creating a Europe of knowledge and must become more open to the needs of society. The Communication will draw on good practices and propose orientations and structures for better and closer university-business cooperation, to reduce barriers between universities and enterprises, improve governance, enhance the relevance of curricula, make universities and students more entrepreneurial, increase mobility and develop and strengthen the role of universities in life-long learning. |
| Green Paper on promoting cross-border mobility of young people | Non-legislative/ Green Paper | The Green Paper will be the starting point of an initiative seeking to develop mobility beyond the Erasmus programme. It will invite stakeholders to get involved in a debate on possible new ways to encourage and support cross-border mobility of young people. The scope of the initiative includes the university sector but goes beyond by including young people more generally, for example in vocational training, adult learning and voluntary activity and among young entrepreneurs and the culture sector. |
| Communication on ICT R&D and Innovation | Non-legislative action / Commission Communication | The Commission's aims are to propose an ICT research and innovation strategy that enables Europe to lead ICT developments, to support the growth of new businesses and to make better use of ICT innovations to address key socio-economic challenges. |
| Second Communication on ICT for Energy Efficiency | Non-legislative action / Commission Communication | This Communication follows up a first Communication COM(2008) 241 of 13 May, and will help quantify the potential of ICTs to contribute to improving energy efficiency across the economy and identify possible actions to help ensure that such potential is exploited. |

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| Communication on Financing Low Carbon Technologies | Non-legislative action / Commission Communication | The Communication will address resource needs and sources, examining all potential avenues to leverage private investment, including private equity and venture capital, enhance coordination between funding sources and raise additional funds. In particular, it will examine the opportunity of creating new mechanisms for the industrial-scale demonstration and market replication of advanced low carbon technologies and will consider the costs and benefits of tax incentives for innovation. |
| Communication on the future of transport | Non-legislative action / Commission Communication | The initiative is linked to the 2001 Transport White Paper and its 2006 Mid-Term review. The purpose of the initiative is to stimulate a wide-ranging debate on transport scenarios with a 20- to 40- year time horizon, and to develop tools and provide technical support for an overall sustainable transport approach, which will allow identifying problems and opportunities that from now on to 2050 may require action. |
| Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 44/2001 on jurisdiction, recognition and enforcement of judgments in civil and commercial matters (Brussels I) | Legislative Proposal/Regulation Legal basis: EC Treaty, art. 65 | The objectives of this initiative are to: <ul style="list-style-type: none"> • ensure a free circulation of all judgments in civil and commercial matters by moving towards the abolition of exequatur in civil and commercial matters; • adapt the provisions of the Regulation to new international instruments in the area concerned, such as the Hague Convention on exclusive choice of court agreements; • improve the operation of those provisions of the Regulation where problems have been detected in their application; • strengthen the effective cooperation between courts; and • establish a complete and harmonized system to decide the jurisdiction of Courts and to facilitate the recognition and enforcement of decision in civil and commercial matters. |
| Proposal for a regulation of the European Parliament and of the Council establishing a European Asylum Support Office | Legislative Proposal/Regulation Legal basis: EC Treaty, art. 66 and /or 308 | The European Asylum Support office will inter alia provide practical assistance to Member States in taking decisions on asylum claims, notably by working on a common approach to Country of Origin Information and on the establishment of a common European Asylum Curriculum. |

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| <p>Organised crime package: helping the victims</p> <p>a) Proposal for a Council Framework Decision on combating sexual exploitation of children and child pornography</p> <p>b) Proposal for a Council Framework Decision on preventing and combating trafficking in human beings and protecting victims</p> <p>c) Framework decision on providing assistance to crime victims in the EU</p> <p>d) Amendment of the Directive relating to compensation to crime victims</p> <p>e) Measures to fight cybercrime</p> | <p>a) Legislative Proposal/Framework decision (JHA). Legal basis: EU Treaty, arts.29, 31,34</p> <p>b) Legislative Proposal/Framework decision (JHA). Legal basis: EU Treaty, art.29, 31 (e) and 34(2)(b)</p> <p>c) Legislative Proposal/Framework decision (JHA). Legal basis: EU Treaty, art.31</p> <p>d) Legislative Proposal /Directive. Legal basis: EC Treaty, art.65</p> <p>e) Legislative Proposal/Framework decision (JHA). Legal basis: EU Treaty, articles 29, 30 31 and 34</p> | <p>This package will encourage prosecution of offenders and protection of victims, particularly the most vulnerable, with a special focus on children.</p> <p>a) In line with the general child protection policy, the proposal should raise the level of protection for children currently granted by FD 2004/68/JHA against sexual abuse, in particular under the form of sexual exploitation and child pornography. It is necessary to take account of new criminal phenomena and incorporate new provisions, thus bringing EU legislation in line with the highest international standards.</p> <p>b) The proposal should strengthen prosecution, victims' support mechanisms, and the rights of victims in criminal proceedings, as particularly vulnerable victims, with a special focus on children and a gender perspective.</p> <p>c) The 2001 FD on the standing of victims in criminal proceedings is unsatisfactory and has been poorly implemented. A new FD is suggested in order to offer better necessary assistance to victims of crime, in all Member States of the EU.</p> <p>d) The main policy objective is to provide solutions that enhance legal certainty and flexibility and meet the legitimate expectations of the citizens</p> <p>e) To reply to recent attacks against critical information infrastructures in some Member States, there is a need to establish common criminal law criteria to reinforce international cooperation to fight and prevent cyber attacks. This regards in particular "botnets" and other instruments used to launch criminal attacks at a large scale.</p> |
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| <p>Counter-terrorism package:</p> <p>a) Communication on CBNR (chemical, biological, nuclear and radiological) threats</p> <p>b) Communication on bio-preparedness</p> <p>c) Action Plan on Radiological/Nuclear Risk Reduction in the European Union</p> <p>d) Good practices in prevention of and response to CBNR incidents, including detection</p> | <p>Non-legislative action / Commission Communications</p> | <p>This package will indicate which policies could be initiated to tackle CBRN threats at EU level, including technical/scientific means which terrorists might use to perpetrate their attacks.</p> <p>The objective is to ensure that all is done at EU level to prevent terrorists and aspirants from having access to radiological, biological or chemical substances or weapons.</p> |
| <p>Communication on Mutual Recognition in Criminal and Civil Matters</p> | <p>Non-legislative action / Commission Communication</p> | <p>This initiative would follow up on a study on Mutual Recognition, with suggestions on the way forward, including on legislative and flanking measures (action plan).</p> <p>The main objective of the initiative is to address the horizontal problems that are encountered in the application of the mutual recognition principle and the gaps in the current system of cooperation in criminal matters.</p> |
| <p>Legal instrument on procedural rights in criminal proceedings</p> | <p>Legislative Proposal/Framework decision (JHA)</p> <p>Legal basis: EU Treaty, art. 31 (1)c</p> | <p>This initiative aims at setting common minimum standards to ensure fair trials within the EU in order to promote mutual trust and thus to facilitate mutual recognition. The need for common minimum standards for defense rights stems from mutual recognition which cannot operate effectively if Member States do not trust each other's justice systems.</p> |

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| Communication on Sectoral Social Dialogue | Non-legislative action / Commission Communication | The aim of the Communication is to analyse and assess the development of Sectoral Social Dialogue since 1998 and where appropriate, to propose modifications. |
| Solidarity in health: Reducing Health inequalities in the EU | Non-legislative action / Commission Communication | At the moment only a handful of countries have set clear measures to reduce health inequalities. The Communication seeks to raise awareness and turn health inequalities into a policy priority in all EU countries. It will support Member States in their actions to tackle inequalities in health, notably through the structural funds and the exchange of good practices, and help to improve existing mechanisms to monitor inequalities in health across the EU, as well as mainstreaming the goal of reducing inequalities in health in EU policies. |
| Action against cancer: European platform | Non-legislative action / Commission Communication | Establishing a European multi-stakeholder platform, engaging stakeholders at all levels (EU, national, regional, local) for Action against Cancer, as a model for non-communicable disease in general, covering issues such as: <ul style="list-style-type: none"> • comparable data and evidence to support learning and sharing knowledge; • priorities for cancer research; • prevention (e.g. through combating tobacco and strengthening cancer screening); • identification and promotion of good practice in cancer-related healthcare across Europe; • updating the "European Code Against Cancer" giving concrete science-based recommendations to citizens to minimise their cancer risk. |
| Proposal for a Commission initiative on Alzheimer | Non-legislative action / Commission Communication | Proposing orientations for European action for addressing Alzheimer disease, building on progress made under the Slovenian and French Presidencies. This would cover both activities at EU and Member State and stakeholders levels. |

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| <p>Council recommendation on cross-border aspects of childhood immunisation</p> | <p>Legislative Proposal / Council Recommendation</p> <p>Legal basis: EC Treaty, art.152(4c)</p> | <p>The Recommendation concerns childhood immunisation practices for families with children taking up residence in another Member State and addresses inadequate vaccination coverage for certain childhood vaccine-preventable diseases. As a result of the free movement in the EU, more and more EU citizens come into contact with healthcare systems that are organised differently than in their country of origin. Differences in childhood immunisation schedules may pose a problem for these families and put health at risk.</p> |
| <p>Communication on combating HIV/AIDS in the EU and the neighbourhood - strategy and second action plan (2010 - 2014)</p> | <p>Non-legislative action / Commission Communication</p> | <p>HIV/AIDS presents a major challenge in many Member States and neighbouring countries. Despite considerable progress in diagnosis, treatment and care, the number of new HIV infections is still rising in Europe. Depending on the situation, main problems are, e.g. the infection of young people, the restricted access to treatment and medicines, or the stigmatisation of the disease and the discrimination of people living with HIV/AIDS.</p> <p>The new strategy will focus on priorities and actions towards an improved access to treatment, care and support throughout Europe and on activities against stigmatisation and discrimination and will link to broader Public Health issues such as injuries, drug use and sexual health.</p> |
| <p>Report on EU Financing for Development and Aid Effectiveness – towards achieving the Millennium Development Goals</p> | <p>Non-legislative action / Commission Communication</p> | <p>The mandatory report on Financing for Development and Aid Effectiveness is of particular importance in 2009 notably due to the special international context : post Accra (3rd High Level Forum on Aid Effectiveness, September 2008), post New York (UN High Level Events on Africa's development needs and the Millennium Development Goals (MDGs), 22 and 25 September 2008) and post Doha (UN Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, November-December 2008). It is crucial to build on the momentum generated by these international events to push the European Agenda forward and to reaffirm the commitment to accelerate progress towards achieving the MDGs.</p> |

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| Communication on Social protection in health and Reform of the Financing of Health Systems in Developing Countries | Non-legislative action / Commission Communication | Developing countries should be able to deliver with equity to their population good quality health services, contributing to reinforce national cohesion and achieving the Millennium Development Goals. Without a clear, comprehensive and predictable national financial plan of health systems, drawn up with all national and international partners involved, there cannot be sustainable development. This Communication will provide a European answer and operational tools bringing together donors, countries concerned and other potential actors (diasporas, foundations, etc.) |
| Communication on the mid-term review of RELEX financial instruments | Non-legislative action / Commission Communication | The legislative authority inserted a revision clause in each of the seven RELEX financial instruments for the period 2007-2013. This clause states that a report evaluating the implementation of the respective regulations should be submitted to the legislative authority, accompanied, if appropriate, by legislative proposals necessary to bring modifications. |
| Communication on five years of an enlarged EU | Non-legislative action / Commission Communication | 2009 will be 5 years after the enlargement to ten new Member States. It appears that the consequences of the enlargement both in old and new Member States are not well understood. It is important to assess the economic implications of enlargement for old and new Member States in order to identify where the strengths are and the weaknesses and what are the implications for the different policies. |

(37 initiatives)

ANNEX 2 – List of simplification initiatives

| Title | Type of simplification action | Scope and objectives |
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| Commission Regulation on physical checks on exported agricultural products subject to refunds | Revision | As per the single CMO from 1 January 2009, this regulation, together with two existing Commission regulations n° 2090/2002 and 3122/94 will be merged into one new regulation entering into force on the same date. |
| Commission Communication establishing formal recognition that a certain number of acts of Community law in the field of agriculture have become obsolete | Repeal | The objective of the proposal is to declare obsolete Commission legal acts that are of no practical relevance or broader interest, thus contributing to the objectives of updating and simplifying the Community acquis. Their removal will clarify the "essential" acquis of acts that are active and generally applicable. |
| Commission Regulation on intervention on the market in skimmed milk powder | Revision | The purpose of the initiative is to amend the implementing rules due to the abolition of private storage aid for skimmed milk powder (SMP) as well as to implement the newly introduced rules on standardisation of protein content in SMP. Technical clarifications and simplification (e.g. concerning the security provisions) are being introduced. |
| Revision of Commission Regulation 1973/2004 implementing the Health Check as regards the support schemes provided for in Titles IV ('other aid schemes') and IVa of that Regulation | Recast | Council Regulation 1782/2003 is scheduled for replacement by a new Direct Payments Regulation in 2008. The objective of the recast is to do away with obsolete provisions linked to aid schemes to be abolished or decoupled pending Health Check outcome. |

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| Revision of Commission Regulation 796/2004 implementing the Health Check as regards cross-compliance, modulation and the integrated administration and control system (IACS) | Recast | Council Regulation 1782/2003 is scheduled for replacement by a new Direct Payments Regulation in 2008. The objective of the recast is to establish common rules for direct support schemes under the common agricultural policy and certain support schemes for farmers. |
| Revision of Commission Regulation 795/2004 implementing the Health Check as regards the single payment scheme | Recast | Council Regulation 1782/2003 is scheduled for replacement by a new Direct Payments Regulation in 2008. The objective of the recast of Regulation 795/2004 is to do away with obsolete provisions linked to the setting up of the single payment scheme introduced by the 2003 CAP reform or temporary rules linked to subsequent integration of sectors into the single payment scheme. |
| Commission Regulation establishing common rules concerning buying-in under public intervention | Recast/Revision | The initiative is a consequence of the Health Check proposals. The project concerns simplification and harmonisation in a horizontal legal act of the detailed rules for intervention, in particular for cereals, dairy products and meat. |
| Council Regulation repealing a number of obsolete agricultural acts | Repeal | The objective of the Regulation is to repeal Council legal acts that are obsolete and of no practical relevance or broader interest, thus contributing to the objectives of updating and simplifying the Community acquis. Their removal will clarify the "essential" acquis of acts that are active and generally applicable. |
| Notice on the enforcement of State aid law by national courts | Revision | Review of the 1995 Notice on cooperation between national courts and the Commission in the State aid field. The new Notice will support and assist national courts faced with illegal aid, by setting out the applicable Community Case-law and decision-making practice. It will also update and reinforce the support mechanisms offered to national courts. By rationalising and improving existing guidance, the Notice will simplify the tasks of national courts in State aid enforcement. |

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| Best Practices Code in State Aid | Revision | The Best Practices Code aims at establishing good practices on the Commission's and Member States' side with a view to increase the efficiency, transparency and predictability of State aid procedures. Efficiency could be improved, for instance, by means of improved pre-notification contacts, incentives for more complete notifications by Member States, more standardised information exchange with Member States, as well as streamlined internal procedures. Predictability would be increased by means of quicker decision making. And Member States would obtain more transparency as regards procedural steps and foreseen deadlines. |
| Notice on a simplified procedure in State aid | Revision | The design of a simplified procedure in State aid aims at ensuring the quick adoption of decisions in straightforward notified aid cases including cases adopted on the basis of the standard assessment section of horizontal state aid instruments, as well as cases merely confirming precedents. The Notice should contribute to improve the efficiency of state aid procedures by simplifying the procedure for these types of cases. |
| Community initiative on work-related musculoskeletal disorders | Recast | Follow-up of the second phase of consultation of the social partners. The objective of this initiative is to integrate into a single legislative instrument the provisions on the protection of the health and safety of workers from the risks of musculo-skeletal disorders at work. These provisions are currently fragmented over different directives, namely Council Directive 90/269/EEC and Council Directive 90/270/EEC. A single legislative instrument would be more comprehensive, clearer and easier to apply. It will benefit employers in terms of legal clarity and workers in terms of providing better protection against the risks of musculo-skeletal disorders. |
| Revision of Directive 2000/35 of the European Parliament and Council on combating late payment in commercial transactions | Revision | Several key provisions of the current Directive are unclear or difficult to implement, thereby creating various hurdles for businesses to claim their rights in case of late payment. The overall objective is to discourage debtors from paying late and to provide creditors with measures that enable them to fully exercise all their rights when paid late. The simplification would entail a clarification of the calculation of the applicable interest rate, a better description of the nature and extent of “retention of title”, a new definition of the types of commercial transactions covered by the Directive and a clearer definition of “relevant recovery costs” to include internal administrative costs linked to late payment. |

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| Regulation relating to the type-approval of agricultural and forestry vehicles | Recast | The proposal will simplify EC legislation on agricultural and forestry tractors by replacing existing legislation (including the present Framework Directive and the separate Directives) by one main Regulation. The proposal will repeal 24 Directives. It will introduce improved requirements for tractor brakes as well. |
| Amendment to Annex IV to Regulation 2003/2003 on fertilizers | Revision | The objective is to ensure that CEN Standards can be considered as official methods of analysis to be used as reference for official controls. Their updated version delivered by CEN will no longer be included in the legal act but will exist in the form of separate standards to which the Community law will refer - the detailed description of test methods currently contained in the Annex will be deleted. |
| Directive or Regulation concerning medical devices | Recast | The objective is to simplify and strengthen the rules in order to ensure a high level of health protection while at the same time ensuring a smooth functioning of the internal market. |
| Regulation on type approval of Two- or Three- Wheel motor vehicles | Recast | The proposal will simplify EC legislation on 2 and 3-wheel motor vehicles by replacing existing legislation (including the present Framework Directive and the separate Directives) into one main Regulation. The proposal will repeal 14 Directives. It will introduce modern emissions legislation, ABS and automatic emergency braking for two- and three-wheelers. |
| Proposal of a Legal Instrument to underpin development of the Shared Environmental Information System | Revision | The simplification objectives cover: <ul style="list-style-type: none"> - modernising and streamlining environmental reporting, to facilitate data availability in line with the principle that information should be managed as close as possible to its source and should be collected once and broadly shared; - timely availability of information / data, in particular by simplifying the current approach on reporting periods; - repealing / streamlining obsolete or overlapping reporting, based on a screening of legislation. |

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| Council Regulation 1172/98 on statistical returns in respect of the carriage of goods by road | Revision | The objective is to create an instrument within the European Statistical System (ESS) that allows to manage road freight statistics surveys by means of reporting requirements (thresholds of the number of vehicles per reporting country), scope of the surveys (types of vehicles included) and precision standard (already modifiable by comitology). In agreement with the ESS (Statistical Programme Committee), the population (focus on international operations and heavy vehicles) and sample (precision measures to be adapted to data needs) of road freight vehicles subject to reporting may be decreased. |
| Amendment to Regulation 44/2001 concerning jurisdiction, recognition and enforcement of judgments in civil and commercial matters | Revision | The objective is to ensure free circulation of all judgments in the EU by the abolition of <i>exequatur</i> and to adapt the provisions of the Regulation to the new international instruments in the area concerned. It will also abolish intermediary steps which citizens have to go through in order to have a judicial decision recognised and enforced abroad. |
| Council Regulation on the reform of the common organisation of the markets in fishery and aquaculture products | Revision | The common market organisation (CMO) was created to achieve the objectives laid down in Article 33 of the Treaty in the fishery sector, in particular to provide market stability and to guarantee a fair income for producers. More recent objectives focus on sustainability-supportive fishing and marketing activities. In place since 1971, the common market organisation has undergone many changes over time, and a reshaped CMO has been in operation since 1 January 2001. The effectiveness and efficiency of this policy is currently being evaluated. The proposal aims at taking account of market developments, changes in fishing activities and the shortcomings detected in the implementation of the provisions currently in force. |
| Commission implementation rules on the reformed control and enforcement framework | Revision | The new rules will modernize and simplify procedures for national administrations and stakeholders and will facilitate better enforcement. Administrative burden and constraints for the sector and public administrations are to be alleviated, with an increased use of IT tools to reduce reporting obligations. All aspects related to control and monitoring of fisheries activities (declaration of catches, tolerance margins, landing declarations, transport, localisation of the fleet, etc.) will be simplified. Also new elements to address the challenges of Illegal, Unreported and Unregulated (IUU) fishing will be included. |

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| <p>Commission Communication on formal recognition of obsolescence and four proposals repealing obsolete legal instruments in the field of the Common Fisheries Policy</p> | <p>Repeal</p> | <p>A screening of the body of Community law relating to the Common Fisheries Policy (CFP) within the context of the "2006-2008 Action Plan for simplifying and improving the CFP" revealed that a number of Acts of Community law have exhausted their legal effects, though they have not been formally repealed or that have no indication of a time limit as to their validity. For the Acts to repeal which are still formally in force, the same empowering act should be used as that which formed the basis for the initial act. In case where the legal basis for the act is no longer existent, the Commission will publish a formal recognition of obsolescence through a Communication.</p> |
| <p>Recast of Decisions relating to checks on insurance against civil liability in respect of the use of motor vehicles</p> | <p>Recast</p> | <p>Over the past few years, the Commission has adopted a number of Decisions (2003/542/EC, 2004/332/EC, 2005/849/EC, and 2007/482/EC) on the abolition of insurance checks in respect of the countries acceding the EU. The Recast aims at simplifying and clarifying the regime of these Decisions adopted under Article 2 of Directive 72/166/EC on motor insurance.</p> |
| <p>Recast of the Prospectus Directive</p> | <p>Recast</p> | <p>Areas where legislative changes are required to improve and simplify the application of the directive will be identified in order to reduce the administrative burden on issuers, without lowering the standard of investors' protection. Among them, the deletion of information requirements that duplicate the transparency directive (Article 10), the extension of the scope of the exemption for employees share schemes (Art. 4.1. e), and the clarification of the responsibilities in case of retail cascade (art. 3.2).</p> |
| <p>Recast of the Market Abuse Directive</p> | <p>Recast</p> | <p>In line with the Commission's Better Regulation approach, a review of the MAD (Market Abuse Directive) regime in the EU is taking place. Focus is on areas where improvements could be achieved in terms of: (i) rationalising/reducing administrative burdens concerning for example the disclosure duties on company executives, and the duty to draw up and maintain insider lists, (ii) facilitating and strengthening supervision exercised at the level of Member States.</p> |

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| Simplification of Accounting Directives | Revision | Objective is to allow Member States to exempt micro entities from the accounting requirements and to review the Accounting Directives (4th and 7th Company Law Directives) to take account of the interest of small businesses and reduce administrative burdens by over € billion. |
| Implementing Measures for the Rapid Alert System for Food and Feed (RASFF) | Revision | The objective of the implementing measures is the uniform operation of the RASFF by all the members of the network by: defining the scope of the system; setting up contact points; defining the role of the Commission; elaboration and transmission of relevant notification; assessment and follow-up of a notification; defining rules for exchanging RASFF information with third countries; setting up confidentiality requirements. |
| Regulation on plastic food contact materials and articles | Recast | Recast of Directives on plastic food contact materials into one Regulation with the aim to speed up authorisation of new additives and monomers and to simplify, clarify and update rules on migration testing; repeal of obsolete rules, such as the analytical methods in Directives 80/766/EEC and 81/432/EEC; of certain parts of Directive 82/711/EEC which are not testing criteria but interpretations and explanations; and remove contradicting rules between 82/711/EEC and 2002/72/EC as regards applicability, and between 82/711/EEC and 85/572/EEC as regards the definition of some food stimulants. |
| Recast of Directive 1999/36/EC on Transportable Pressure Equipment Directive (TPED) | Recast | <p>Certain clauses have become obsolete and certain issues are currently dealt with in the international agreements on the transport of dangerous goods. Need to eliminate contradictions stemming from these international agreements taking into account transitional agreements at intergovernmental organisations level (UN for road transport, OTIF for rail). Repeal of 4 Directives on Pressure Vessels (76/767/EEC, 84/525/EEC, 84/526/EEC and 84/527/EEC) and integration of the still relevant provisions into the revision of Directive 1999/36/EC.</p> <p>It is also necessary to bring the existing directive into line with the "New Approach" rules on the free movement of goods which is in the final stages of formal adoption, in line with the new legislative framework for the marketing of products.</p> |

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| Recast of First Railway Package legislation: simplification and modernisation of the legislative framework for access to the rail transport market | Recast | In order to simplify the legislation, the three Directives will be merged and restructured while eliminating cross-references across the legal acts. This will lead to improved readability and hence enable better and harmonised implementation in MSs thus potentially reducing administrative burdens. Furthermore, other legal provisions, in particular institutional arrangements, such as strengthening of the powers of regulatory bodies and a strengthened cooperation of rail infrastructure managers for international services, will be enhanced to promote the emergence of a genuine internal market and to eliminate barriers to the provisions of international rail transport services. Overall by enhancing the legal and institutional framework the Commission hopes to see market access cost of railway undertakings being reduced. |
| Marine Equipment Directive | Recast | Directive 96/98/EC has been technically amended three times since its adoption and a further two technical amendments are currently under preparation (respectively concerning the committee procedure and the technical annexes). Furthermore, the new legislative framework for the marketing of products will have a direct impact on a number of basic elements (notified bodies, market surveillance, and safeguard clause). Lastly, the current system of periodical technical updates is in need of an in-depth revision in order to keep pace with the legislative production of the International Maritime Organisation. It is intended to recast or to repeal the existing Directive and replace it with a new one. |
| Recast of the Community regulatory framework regarding transport of radioactive material | Recast | At Community level there are currently more than 30 directives, regulations and recommendations governing the transport of radioactive material. There are also non-binding international rules. Inconsistent transposition of these rules means that there is an unnecessary degree of complexity causing practical problems on the ground in Member States, including increased costs and delays. Simplification of rules and procedures would reduce this and an initial estimate puts the potential at a reduction of 50% in the labour costs and 30% in the costs to operators. |

(33 initiatives)

ANNEX 3 – List of withdrawals of pending proposals

| Title | COM/SEC/inter-institutional number | Justification for withdrawal |
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| Proposal for an Act of Adaptation of the terms of accession of the united Cyprus republic to the European Union | COM(2004)189 | Linked to the 2004 Annan Plan for a settlement of the Cyprus problem and re-unification. In case of a new comprehensive settlement, the Commission will have to submit a new proposal of an Act of Adaptation related to the new settlement plan (possibly in 2009). This proposal has become obsolete. |
| Proposal for a Council Decision on the signing by the European Community of the Convention on International Interests in Mobile Equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 2001 | SEC(2002)1308/1 | These proposals are to be replaced by the Amended Proposal for a Council Decision on the conclusion by the European Community of the Convention on International Interests in Mobile Equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 200, adopted by the Commission in August 2008 - COM (2008) 508 / 2008/0162/CNS. These proposals have become obsolete. |
| Proposal for a Council Decision on the conclusion by the European Community of the Convention on International Interests in Mobile Equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 2001 | SEC(2002)1308/2 | |

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| <p>Proposal for a Council Regulation amending Regulation (EC) 1683/95 laying down a uniform format for visas</p> | <p>COM(2003)558 2003/0217/CNS</p> | <p>As it has been decided not to insert biometric features into the visa sticker and at the same time the residence permit Regulation has been amended in that sense, this proposal has become obsolete.</p> |
| <p>Proposal for a Council Framework decision to strengthen the criminal law framework to combat intellectual property offence</p> | <p>COM(2005)276/2 2005/0128/CNS</p> | <p>Replaced by an amended proposal for a Directive of the European Parliament and of the Council on criminal measures aimed at ensuring the enforcement of intellectual property rights, document COM (2006) 168 of 26.4.06 / 2005/0127/COD (see Written procedure 2006/669), following the judgment of the Court of Justice of 13.9.05 (C-176/03). The proposal for a Council Framework Decision has become obsolete.</p> |
| <p>Proposal for a Council Decision on the improvement of police cooperation between the Member States of the European Union, especially at the internal borders and amending the Convention implementing the Schengen Agreement</p> | <p>COM(2005)317 2005/0131/CNS</p> | <p>Overlaps with Prüm Treaty as transposed by Council Decision on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, adopted on 23.06.08. This proposal has become obsolete.</p> |

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| <p>Proposal for a Council Decision on the conclusion of the Agreement in the form of an Exchange of Letters on the provisional application of the Fisheries Partnership Agreement between the EC and the Islamic Republic of Mauritania on fishing in Mauritanian fishing zones and of the Protocol setting out the fishing opportunities and financial contribution which applies from 1 August 2006 to 31 July 2008</p> | <p>COM(2006)505</p> | <p>A new agreement with Mauritania has been adopted by the Council in July, as Council Regulation (EC) No 704/2008 of 15 July 2008 on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for the period 1 August 2008 to 31 July 2012. This proposal has therefore become obsolete.</p> |
| <p>Proposal for a Council Decision concerning the signing of the Hague Convention on the Law applicable to certain rights in respect of securities held with an intermediary</p> | <p>COM(2003)783</p> | <p>The Commission has changed its approach and may envisage presentation of a new proposal in particular with regard to the underlying conflict of laws issue, based on more comprehensive impact assessment. The present proposal therefore serves no purpose and has become obsolete.</p> |
| <p>Draft Inter-institutional Agreement on the operating framework for the European regulatory agencies</p> | <p>COM(2005)59</p> | <p>In a Communication adopted in March – document COM (2008)135, the Commission announced its intention to withdraw this proposal and presented the steps it plans to take in order to make progress towards a common framework. The Commission considers that an invitation to an inter-institutional working group should lead to a common approach for agencies, as an alternative to proposing an inter-institutional agreement. The present proposal therefore serves no purpose and has become obsolete.</p> |

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| Proposal for a Council Regulation on the common organisation of the market in pig meat (Codified version) | COM(2003)297 2003/0104/CNS | Act being codified has been repealed. The present proposal therefore serves no purpose and has become obsolete. |
| Proposal for a Council Decision laying down Community criteria for the eradication and monitoring of certain animal diseases (codified version) | COM(2006)315 2006/0104/CNS | Act being codified has been repealed. The present proposal therefore serves no purpose and has become obsolete. |
| Proposal for a Council Regulation on the production and marketing of eggs for hatching and of farmyard poultry chicks (Codified version) | COM(2006)694 2006/0231/CNS | Act being codified has been repealed. The present proposal therefore serves no purpose and has become obsolete. |
| Recommendation to the Council on the participation of the EU in the work of the International Tax Dialogue | SEC(2007)958 | Following a revision of the Draft Memorandum of Understanding, the Council does not need to adopt a basic act in the form of a Council Decision authorising the Commission to negotiate the Community's participation in the work of the ITD. Therefore, the Recommendation has become obsolete. |
| Proposal for a Council Regulation concerning balancing mechanism applicable to imports from certain countries not members of the European Community | COM(2005)398 | This draft Regulation had been proposed as a means to deal with so-called "dual-pricing" system, especially in the context of WTO accession negotiations of certain countries. The Commission has changed approach in favour of bilateral or multilateral negotiations and no longer considers legislation necessary. This proposal therefore has become obsolete. |

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| <p>Proposal for a Council Directive on the control of high activity sealed radioactive sources</p> | <p>COM(2002)130</p> | <p>The procedure for adoption of measures set out under Articles 31 and 41 of the EURATOM Treaty requires that the Commission first make a "draft" proposal, which is then sent to the European Economic and Social Committee for their comments. Following this a revised proposal has been made by the Commission – document COM (2003)18. The initial proposal therefore serves no purpose and has become obsolete.</p> |
| <p>Proposal for a Directive of the European Parliament and of the Council on Intermodal Loading Units</p> | <p>COM(2003)155/2 2003/0056/COD</p> | <p>The Commission no longer considers legislation necessary. CEN has already developed pre-standards and will complete work if it receives a Commission mandate. Before such a mandate can be given to CEN it needs to be considered whether 45 ft ISO containers, which are currently limited to national traffic, should be allowed to be used in cross-border traffic. The Commission is currently reviewing this using a study. In addition research is currently being carried out considering optimal size and strength characteristics of ILU as well as communications and security characteristics. This proposal has therefore become obsolete.</p> |
| <p>Proposal for a Council Regulation amending Regulation (EURATOM) No 2587/1999 defining the investment projects to be communicated to the Commission in accordance with Article 41 of the Treaty establishing the European Atomic Energy Community</p> | <p>COM(2003)370</p> | <p>Given the time elapsed since this proposal was made, it has become obsolete.</p> |

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| <p>Proposal for a Regulation of the European Parliament and of the Council on compensation in cases of non-compliance with contractual quality requirements for rail freight services</p> | <p>COM(2004)144 2004/0050/COD</p> | <p>In the light of opposition from both the legislator and the sector to the contractual relations part of this proposal, the Commission announced its intention to withdraw the proposal in a Communication adopted this September – document COM (2008)536). The Commission considers that the objectives of the proposal can be met through ongoing initiatives that support the development of competition and ensure that rail freight has high quality infrastructure and ancillary services at its disposal. As regards the latter, the Commission intends to submit a new legislative proposal in November 2008. This proposal has therefore become obsolete.</p> |
| <p>Proposal for a Council Decision on a Community position within the Ministerial Council of the Energy Community on certain procedural issues related to the budget of the Energy Community, on the procedural rules on acceptance of countries as Observers and rights and obligations of Observers to the Energy Community, and on the acceptance of Moldova, Ukraine, Norway and Turkey as Observers to the Energy Community</p> | <p>COM(2006)709</p> | <p>As the countries concerned are observers to this Council, this proposal is no longer relevant and has become obsolete.</p> |
| <p>Proposal for a Council Regulation on the Financial Regulation applicable to the Euratom Supply Agency</p> | <p>COM(2007)108 2007/0042/CNS</p> | <p>The Commission has changed its approach and will now address the objectives of this proposal through the inclusion of <i>ad hoc</i> provisions in the general Financial Regulation that is currently being revised. This will avoid the heavy legislative procedure for a limited budget and avoid increasing the number of specific financial regulations. This proposal has therefore become obsolete.</p> |

(20 initiatives)